PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, DECEMBER 17, 1974

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening December 17 A.D., 19 74, in Regular Session. President Samuel J. Talarico in the chair, and Charles W. Westerman Clerk, at the desk, present the following members viz:

Burns ✓, Hinga ✓, Kraus ✓
Moses ✓, Nuckols ✓, Donald Schmidt ~~A~~ ✓
Vivian Schmidt ✓, Stier ✓, Talarico ✓
Absent ~~E~~
Councilmen ~~Donald Schmidt~~, , ,
, , ,

The invocation was given by A member of Common Council
James A. Stier - Lester Nuckols -

Received report from the City Controller for the month of , 19 . Motion made and carried that report be made a matter of record and placed on file.

The minutes of the last special , 19 , regular ~~November 26~~, 19 ~~74~~, Session having been delivered to the Council, were, on motion, approved and published.

MADE A MATTER OF RECORD
DATE 12/17/74 CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE
office of the mayor

December 11, 1974

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, December 11, 1974, I have approved the following ordinances passed by Common Council at its regular meeting on December 10, 1974.

(Bill No. A-74-11-19)
APPROPRIATION ORDINANCE NO. A-26-74

AN ORDINANCE appropriating funds from the Aviation Fund into Account #265 in the 1974 Budget of the Board of Aviation.

(Bill No. A-74-11-20)
APPROPRIATION ORDINANCE NO. A-27-74

AN ORDINANCE appropriating certain funds from Aviation Fund 840 into Account #269 of the 1974 Budget of the Aviation Commissioners

(Bill No. A-74-11-21)
APPROPRIATION ORDINANCE NO. A-28-74

AN ORDINANCE appropriating certain funds from the unencumbered balance of Redevelopment District Capital Fund into Account No. 44-871-7-73 in the 1974 Budget of Redevelopment Commission.

(Bill No. S-74-11-22)
SPECIAL ORDINANCE NO. S-182-74

AN ORDINANCE approving a certain bid document for the installation of ball diamond safety fences at various park diamonds

(Bill No. S-74-11-23)
SPECIAL ORDINANCE NO. S-183-74

AN ORDINANCE approving a contract with IBM for purchase of Traffic Control Computer

(Bill No. S-74-11-24)
SPECIAL ORDINANCE NO. S-184-74

AN ORDINANCE approving a contract with JOHN DEHNER, INC. in connection with Sewer Resolution No. 284-1974

MADE A MATTER OF RECORD
DATE 12/11/74 CHARLES W. WESTERMAN, CITY CLERK

(Bill No. S-74-11-25)
SPECIAL ORDINANCE NO. S-185-74

AN ORDINANCE approving a contract for the purchase of fuel oil required by City Utilities and Civil City

(Bill No. S-74-11-26)
SPECIAL ORDINANCE NO. S-186-74

AN ORDINANCE approving a contract with INTERNATIONAL SALT COMPANY for the purchase of salt.

(Bill No. S-74-11-59)
SPECIAL ORDINANCE NO. S-187-74

AN ORDINANCE repealing Special Ordinance No. S-167-74

(Bill No. S-74-11-61)
SPECIAL ORDINANCE NO. S-188-74

AN ORDINANCE authorizing the City of Fort Wayne to Issue Its "Economic Development First Mortgage Revenue Bonds (Tri-State Pipeline, Inc. Project)" in the Principal Amount of One Million Five Hundred Thousand Dollars ($1,500,000.00) and Approving and Authorizing Other Actions in Respect Thereto

(Bill No. R-74-11-58)
As Amended
RESOLUTION NO. R-107-74

A RESOLUTION authorizing application for funds under Title I of the Housing and Community Development Act of 1974

(Bill No. R-74-12-08)
RESOLUTION NO. R-108-74

A RESOLUTION transferring certain funds in the 1974 Budget of the Park Department

(Bill No. G-74-11-42)
GENERAL ORDINANCE NO. G-35-74

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne, Indiana

(Bill No. G-74-11-43)
GENERAL ORDINANCE NO. G-36-74

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne, Indiana

(Bill No. S-74-11-45)
SPECIAL ORDINANCE NO. S-189-74

AN ORDINANCE approving contracts with ROBERT J. HOUSER for curb and sidewalk construction in connection with Resolution No. 5648-74

(Bill No. S-74-11-46)
SPECIAL ORDINANCE NO. S-190-74

AN ORDINANCE approving a contract with CARRINGTON & ASSOCIATES for construction of sidewalks in connection with Resolution No. 5648-74

(Bill No. S-74-11-47)
SPECIAL ORDINANCE NO. S-191-74

AN ORDINANCE approving a contract with CARRINGTON & ASSOCIATES for sidewalk construction in connection with Resolution No. 5648-74

(Bill No. S-74-11-48)
SPECIAL ORDINANCE NO. S-192-74

AN ORDINANCE approving a contract with CARRINGTON & ASSOCIATES for sidewalk repairs in connection with Resolution No. 5649-74

(Bill No. S-74-11-49)
SPECIAL ORDINANCE NO. S-193-74

AN ORDINANCE approving a contract with RIETH-RILEY CONSTRUCTION CO., INC. for street improvement in connection with Resolution No. 5672-74

(Bill No. S-74-11-50)
SPECIAL ORDINANCE NO. S-194-74

AN ORDINANCE approving a contract with A. GROSJEAN & SON for Sidewalk Repair in connection with Resolution No. 5665-74

(Bill No. S-74-11-51)
SPECIAL ORDINANCE NO. S-195-74

AN ORDINANCE approving a contract with ROBERT J. HOUSER for construction of sidewalks in connection with Resolution No. 5668-74

(Bill No. S-74-11-52)
SPECIAL ORDINANCE NO. S-196-74

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for Street improvement in connection with Resolution NO. 5666-74

(Bill No. S-74-11-53)
SPECIAL ORDINANCE NO. S-197-74

AN ORDINANCE approving a contract with ROBERT J. HOUSER for sidewalk construction in connection with Resolution No. 5664-74

(Bill No. S-74-11-54)
SPECIAL ORDINANCE NO. S-198-74

AN ORDINANCE approving a contract with A. GROSJEAN & SON for curb and sidewalk construction in connection with Resolution No. 5674-4

(Bill No. S-74-11-55)
SPECIAL ORDINANCE NO. S-199-74

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for water system

improvement under Water Contract 74-2

(Bill No. S-74-11-56)
SPECIAL ORDINANCE NO. S-200-74

AN ORDINANCE approving an Agreement with MEISTER-GRABER for Sewer Extension

(Bill No. S-74-11-57)
SPECIAL ORDINANCE NO. S-201-74

AN ORDINANCE approving Change Order No. 3 in connection with St. Joe Interceptor Sewer Resolution 272

(Bill No. X-74-11-60)
ANNEXATION ORDINANCE NO. X-05-74

AN ORDINANCE amending Annexation Ordinance No. X-03-74 by adding a Section thereto

Respectfully yours,

Ivan A. Lebamoff
Mayor

THE CITY OF FORT WAYNE

December 9, 1974

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-74-09-20

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
9th day of December, 1974.

Thomas J. Offerle
Secretary

MADE A MATTER OF RECORD
DATE 12/9/74 CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE

December 9, 1974

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held November 25, 1974. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No. Z-74-09-20

2. From "RA" to "M1"

3. Intended Use: Carpet Sales and warehousing

4. Plan Commission Recommendation: The Plan Commission recommended that the petitioners withdraw this petition and submit a new petition to include the triangular parcel of ground located at the northwest corner of Burma Road and Goshen Road. New petition has now been submitted by the attorney representing the petitioners.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning and Zoning

Gary F. Baeten
Land Use Administrator

GFB:pr
ATT.

cc: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 24, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-09-20; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 18, 1974; and

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the attorney representing the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN in accordance with the written request of the attorney representing the petitioner.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted by the City Plan Commission.

Certified and signed this
9th day of December, 1974.

Thomas J. Offerle
Secretary

LAW OFFICES

SHOAFF, KEEGAN, BAIRD & SIMON

2400 FORT WAYNE NATIONAL BANK BUILDING

FORT WAYNE, INDIANA

46802

AREA CODE 219
TELEPHONE
743-8123

JOHN D. SHOAFF
ROBERT Y. KEEGAN
RICHARD F. BAIRD, JR.
CLIFFORD E. SIMON, JR.
GEORGE T. DODD
THOMAS M. SHOAFF
THOMAS M. MOORHEAD

N. REED SILLIMAN
DAVID A. SCOTT

FRED B. SHOAFF
1877-1961

December 4, 1974

RECEIVED
DEC 5 1974
FORT WAYNE CITY
PLAN COMMISSION

The City Plan Commission
City County Building
Fort Wayne, Indiana 46802

In Re: Bill No. Z-74-09-20

Gentlemen:

Subsequent to our last Monday's Executive Committee Meeting of the City Plan Commission, we prepared and have filed a new Zoning Petition incorporating the 10 acres of ground connecting on the north side of the Burma Road and extending eastwardly to the Goshen Road, which was the subject of the above bill, as well as the triangular piece of ground at the corner of Burma Road and Goshen Road, which the Plan Commission requested us to include in a new zoning petition.

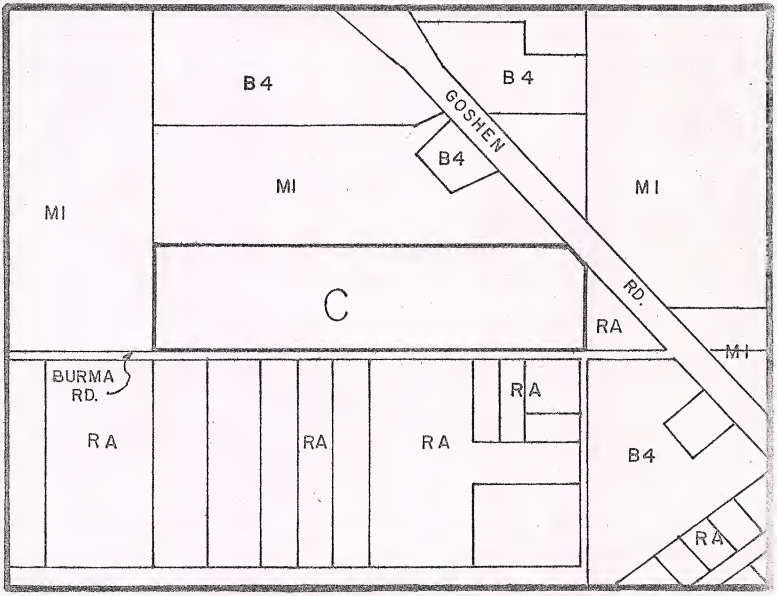
Accordingly, would you please withdraw from further consideration Bill No. Z-74-09-20 which you continued from last Monday's meeting.

Very truly yours,

SHOAFF, KEEGAN, BAIRD & SIMON

Clifford E. Simon, Jr.

CESjr/kf



C – CHANGE FROM RA TO MI

Z-74-09-20

N

DATE 9-3-74

CALL, CONSENT AND WAIVER OF NOTICE OF A SPECIAL MEETING OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, TO BE HELD FRIDAY, DECEMBER 27, 1974, at 5:00 P.M.,E.S.T.

We, the undersigned, being all of the members of the Common Council of the City of Fort Wayne, Indiana, do hereby call a special meeting of said Council to be held on Friday, December 27, 1974, at 5:00 o'clock P.M.,E.S.T. and jointly and severally waive notice of the time, place and purpose of said meeting and consent that same be held on the aforesaid date for the exclusive purpose, for introduction and action on rate and bond ordinance for the Fort Wayne City Utilities. This meeting is to be held within the City Council Chambers, City County Building, Fort Wayne, Indiana.

Samuel J. Talarico — Vivian G. Schmidt

Eugene Krauss — Paul M. Burns

John Nuckols — William T. Hinga

Winfield C. Moss JR. — D. D. Schmidt

James S. Stier

Dated this 17th of December, 1974

Charles W. Westerman
City Clerk

MADE A MATTER OF RECORD
DATE 12/17/74 CHARLES W. WESTERMAN, CITY CLERK

CALL, CONSENT AND WAIVER OF NOTICE OF A SPECIAL MEETING OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, TO BE HELD MONDAY, JANUARY 6, 1975 at 7:00 O'CLOCK P.M.,E.S.T.

We, the undersigned, being all of the members of the Common Council of the City of Fort Wayne, Indiana, do hereby call a special meeting of said Council to be held on Monday, January 6, 1975, at 7:00 o'clock P.M.,E.S.T., and jointly and severally waive notice of the time, place and purpose of said meeting and consent that same be held on the aforesaid date for the exclusive purpose of considering and acting upon the organization of said Council for the year 1975 as required by law. This meeting is to be held within the City Council Chambers, City County Building, Fort Wayne, Indiana.

Samuel J. Talarico

Vivian G. Schmidt

Eugene Krewson

Paul M. Burns

John Nuckols

William T. Hinga

Winfield A. Moses Jr.

O. Schmidt

James S. Stier

Dated this 17th of December 1974

Charles W. Westerman
Charles W. Westerman
City Clerk

MADE A MATTER OF RECORD
DATE 12/17/74 CHARLES W. WESTERMAN, CITY CLERK

The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 17th dya of December, 1974; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively;and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 17th day of December,1974.

Charles W. Westerman
City Clerk

SEAL